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Dated: June 18, 2003

Signature:

Marian Christopher
Marian Christopher)

Docket No.: 549172000100
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Micheal L. GRUENBERG

Application No.: 08/700,565

Group Art Unit: 1644

Filed: July 25, 1996

Examiner: R. Schwadron

For: AUTOLOGOUS IMMUNE CELL THERAPY:
CELL COMPOSITIONS, METHODS AND
APPLICATIONS TO TREATMENT OF
HUMAN DISEASE

**RESPONSE TO RESTRICTION REQUIREMENT
AND AMENDMENT**

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Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated May 21, 2003 which sets for a restriction requirement for pending claims 22-25, 29, 31-33, 155-158, 165-168, 170-172 and 211-213 in the above-identified application. A response to this action is due June 21, 2003. Accordingly this timely response is filed.

REMARKS

Claims 22-25, 29, 31-33, 155-158, 165-168, 170-172 and 211-213 are pending in this application. No claim has been allowed.

The Office has requested an election to one of the following species in the methods of claims 22, 155, and 211 under 35 U.S.C. § 121: (a) interferon- γ ; (b) anti-IL4 antibody; (c) interferon- γ and anti-IL4 antibody; (d) α B7.2 mAb; or (e) TGF- β . Applicants hereby elect (b) anti-IL4 antibody, without traverse. Claims 22-25, 29, 31-33, 155-158, 165-168, 170-172 and 211-213 read on the elected species. Applicants request that, upon allowance of a generic claim, the remainder of the species be included as permitted by 37 C.F.R. § 1.141(a).

Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

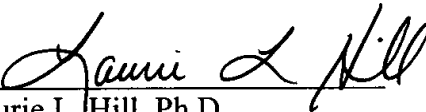
CONCLUSION

Applicants request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 54917-20001.00. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 18, 2003

Respectfully submitted,

By 
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